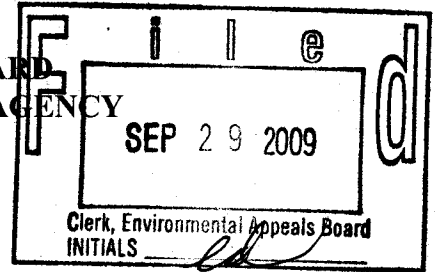


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re: _____)
_____))
Mirant Kendall, LLC, _____)
Mirant Kendall Station _____)
_____))
NPDES Permit No. MA0004898 _____)
_____))

NPDES Appeal Nos. 06-12,
06-13, and 09-04

**ORDER GRANTING JOINT MOTION
TO EXTEND STAY OF PROCEEDINGS**

On September 25, 2009, Region 1 of the U.S. Environmental Protection Agency, in conjunction with petitioners Mirant Kendall, LLC, Conservation Law Foundation, and Charles River Watershed Association, filed another joint status report and motion to extend the stay of proceedings in the above-captioned matters. The parties report that they are “nearing settlement”; they anticipate completing their negotiations and agreeing to draft permit modification language by the week of November 16, 2009. The parties seek a further stay of two months to complete their settlement discussions.

In the interest of judicial economy and for good cause shown, the Environmental Appeals Board hereby grants the motion and extends the stay of proceedings until **Tuesday, November 24, 2009**. All parties shall file a status report (preferably jointly but separately if need be) with the Board no later than **Thursday, November 19, 2009**. This status report shall advise the Board on the progress of settlement discussions and whether it is appropriate to continue the stay, establish a revised briefing schedule, or take other appropriate action.

So ordered.
Dated: Sept. 29, 2009

ENVIRONMENTAL APPEALS BOARD
By: Kathie A. Stein
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Joint Motion for Extend Stay of Proceedings** in the matter of *Mirant Kendall, LLC, Mirant Kendall Station*, NPDES Appeal Nos. 06-12, 06-13, and 09-04, were sent to the following persons in the manner indicated:

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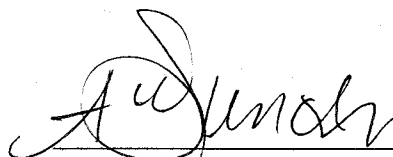
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Dated: SEP 29 2009



Annette Duncan, Secretary